<u>**REMARKS**</u>

Applicant is in receipt of the Office Action mailed December 13, 2007. Claims 82 – 102 are pending in the case. Reconsideration of the present case is earnestly requested in light of the following remarks.

Section 102 Rejections

Claims 82-102 were rejected under 35 U.S.C. 102(e) as being anticipated by Shah et al. (US 2003/0231211 A1, "Shah").

Claim 82 recites:

82. A computer readable memory medium comprising program instructions, wherein the program instructions are executable by a processor to:

display a function node in a graphical program on a display, wherein the graphical program comprises a plurality of nodes and connections between the plurality of nodes, wherein the plurality of connected nodes visually indicate functionality of the graphical program, and wherein the function node is executable in the graphical program to perform a first function;

display a function specific property node in the graphical program on the display, wherein the function specific property node is specific to the first function, wherein the function specific property node comprises a plurality of properties of the first function;

associate the function specific property node with the function node;

display the plurality of properties on the display; and

receive user input selecting one or more of the plurality of properties;

wherein the selected one or more properties are accessible during execution of the graphical program.

Nowhere does Shah teach or suggest **display a function specific property node in the graphical program on the display, wherein the function specific property node is specific to the first function, wherein the function specific property node comprises a plurality of properties of the first function**, as recited in claim 82.

Cited paragraph [0020] (and Shah in general) discloses property nodes that are typed to "broad classes of functionality, such as input, output, triggering, reading, and writing, among others. Thus, each property node type may be used with a number of different objects whose attributes may overlap, but typically differ to some degree. *Each property node thus has a **superset** of the attributes of each object, device, or function associated with that property node type*, where the superset can easily have hundreds or even thousands of possible attributes. Thus, for a given task, there may be hundreds of properties a user can set and get depending on the kind of measurement and the type of device configured. When a user configures a property node for use in a graphical program, the entire superset is generally presented to the user, who must then select from the many attributes those he wishes to access (read or write) in the graphical program." (*emphasis added*)

Cited paragraph [0027] discloses user input to the property node (which is *not* function specific, but rather is typed to a broad class of functionality) specifying an element filter option, where the attributes displayed by the property node are filtered accordingly.

As Shah makes clear, these property nodes are *not* specific to a function node's function (the first function), but rather are typed to "broad classes of functionality", and so may have "hundreds or even thousands of possible attributes". Shah and the present invention respectively present two different and distinct solutions to this problem–Shah teaches using a broad function class property node, and filtering the properties displayed to the user based on input to the property node; whereas in claim 82, the property node is itself *function specific*, and more particularly, is *specific to the first function of the function node*, and so only has attributes *for that function*, which is not at all the same.

Moreover, Applicant notes that filtering the displayed attributes of Shah's property node does not change the property node itself, but rather, just limits which attributes are displayed to the user for selection. For example, the user could subsequently invoke a different filter option to change the displayed list of attributes–this does not convert the property node to a function-specific property node.

3

Cited Figure 8A and related text are directed to specifying a target for a function node, specifically, an "open VI reference" node, and make no mention of a function specific property node for a corresponding function node.

Thus, Shah fails to teach or suggest this feature of claim 82.

Nor does Shah disclose **associate the function specific property node with the function node**, as recited in claim 82.

Applicant respectfully notes that since Shah doesn't teach a "function specific property node", Shah does not, and cannot, teach associating a function specific property node with a function node.

Thus, for at least the reasons provided above, Applicant submits that Shah fails to teach or suggest all the features of claim 82, and so claim 82, and those claims respectively dependent therefrom, are patentably distinct and non-obvious over the cited art, and are thus allowable.

Independent claim 102 includes similar limitations as claim 82, and so the above arguments apply with equal force to this claim. Thus, claim 102, and those claims respectively dependent therefrom, are patentably distinct and non-obvious over the cited art, and are thus allowable.

Applicant also asserts that numerous ones of the dependent claims recite further distinctions over the cited art. For example:

Regarding claim 83, Applicant submits that Shah does not disclose **wherein the property node is statically typed to correspond to the function node**, as recited in this claim.

Cited paragraph [0020], quoted above, clearly explains that Shah's property nodes are typed to "broad classes of functionality, such as input, output, triggering, reading, and writing, among others." It is this broad *function class* typing that presents the problems addressed by Shah, and in a very different manner, by the invention of claim 83, e.g., the function class property node having hundreds or even thousands of attributes due to the property node being typed to a superset (class) of many functions. In direct contrast, the

property node of claim 83 is statically typed *to correspond to the function node*, and so only includes attributes that are specific to the function of that function node. Note that since this node is *statically* typed to correspond specifically to the function node, the node cannot be subsequently configured to correspond to a different type of function node (and thus to have different properties or attributes). In other words, the type of the property node of claim 83 is permanently established prior to runtime to be specific to the first function, and cannot be dynamically typed.

Applicant respectfully notes that Shah mentions VI references being statically bound to specific VIs, but makes no mention whatsoever of statically typing property nodes, nor more specifically, property nodes that are statically typed to correspond to a function node.

Thus, Shah fails to disclose this feature of claim 83.

As another example, Shah also fails to teach **wherein the function specific property node visually indicates the association with the function node**, as recited in claim 84.

Cited paragraph [0018] discloses associating a property node with a GUI control (front panel object) or other objects, such as "other graphical programs, devices, and/or channels", but makes no mention of a function specific property node visually indicating an association with a corresponding function node. Applicant notes that the "visual output" referred to by the Examiner does not visually indicate an association with a function node.

Cited paragraph [0020], discussed at length above, not only does not disclose a function specific property node, but is silent regarding any property node visually indicating an association with a function node. Moreover, Applicant notes that the portion quoted by the Examiner: "function associated with that property node" actually reads thusly: "Each property node thus has a superset of the attributes of each object, device, or function associated with that property node type, where the superset can easily have hundreds or even thousands of possible attributes." Thus, the citation emphasizes the point that the property node is associated with many objects, devices, and/or functions, and thus has *all* of their attributes (hundreds or even thousands). Thus, Shah's

property node is not function specific. Nor does Shah ever indicate or hint at a property node visually indicating an association with a function node, as claimed. Applicant respectfully directs the Examiner's attention to the present Specification, p.54, lines 16-26, which provides examples of such visual indications.

Cited paragraph [0137] only reads "FIGS. 6A and 6B--Example Configuration Diagrams", however, the following paragraph [00138] mentions connections between devices having an appearance that visually indicates the type of connection, which has nothing whatsoever to do with a property nodes, and specifically fails to disclose a function specific property node visually indicating an association with a corresponding function node.

Thus, the cited art fails to teach or suggest all the features of claim 84.

Applicant also asserts that numerous other ones of the dependent claims recite further distinctions over the cited art. However, since the independent claims have been shown to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

Removal of the section 102 rejection of claims 82-102 is respectfully requested.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above-referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel P.C., Deposit Account No. 50-1505/5150-81000/JCH.

Also filed herewith are the following items:

☐ Request for Continued Examination

☐ Terminal Disclaimer

☐ Power of Attorney By Assignee and Revocation of Previous Powers

☐ Notice of Change of Address

☐ Other:

Respectfully submitted,

_/Jeffrey C. Hood/_____

Jeffrey C. Hood, Reg. #35198
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800
Date: 2008-02-12   JCH/MSW